

## REMARKS

The Office Action dated October 3, 2003 has been received and carefully noted. The above amendments and the following remarks are submitted as a full and complete response thereto. Currently, claims 3-13 have been allowed. By this Amendment, claim 1 has been cancelled. Claim 2 is now in independent form. The specification has merely been amended to more clearly describe the invention. Support for the claim amendments can be found generally in the specification as originally filed, and Fig. 3. No new matter has been added or amendments made that narrow the scope of any elements of any claims. Accordingly, claims 2-13 are pending in this application and are submitted for consideration.

Entry of this Amendment is proper under 37 C.F.R. § 1.116 since this Amendment: (a) places the application in condition for allowance for reasons discussed herein; (b) does not raise any new issue regarding further search and/or consideration since the Amendment amplifies issues previously discussed throughout prosecution; (c) does not present any additional claims without canceling a corresponding number of finally-rejected claims and (d) places the application in better form for appeal, should an appeal be necessary. The Amendment is necessary because it is made in reply to arguments raised in the rejection. Entry of the Amendment is thus respectfully requested.

Applicant acknowledges and thanks the Examiner for indicating that claim 2 would be allowable over the prior art if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph. Accordingly, claim 2 has been amended to more



particularly point out and distinctly claim the invention and has been rewritten in independent form. Therefore, it is respectfully submitted that claim 2 is in condition for allowance.

Claims 1-2 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claim 1 has been cancelled and claim 2 has been rewritten in independent form, thereby rendering the rejection with respect to claims 1 and 2 moot.

Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated Swada (U.S. Patent No. 5,365,481, "Swada"). Claim 1 has been cancelled, thereby rendering the rejection with respect to claim 1 moot.

In view of the foregoing, reconsideration of the application, withdrawal of the outstanding rejections, allowance of claim 2 (claims 3-13 already being allowed), and the prompt issuance of a Notice of Allowability are respectfully solicited.

If this application is not in condition for allowance, the Examiner is requested to contact the undersigned at the telephone listed below.

In the event this paper is not considered to be timely filed, the Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper,



may be charged to counsel's Deposit Account No. 01-2300, **referencing docket number 108397-00042.**

Respectfully submitted,  
ARENT FOX KINTNER PLOTKIN & KAHN PLLC

A handwritten signature in black ink, appearing to read "Lynne D. Anderson", written over a horizontal line.

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